

At a regular meeting of the Southampton County Board of Supervisors held in the Board Room of the Southampton County Office Center, 26022 Administrative Center Drive, Courtland, Virginia on February 23, 2009 at 8:30 AM

SUPERVISORS PRESENT

Dallas O. Jones, Chairman (Drewryville)  
Walter L. Young, Jr., Vice-Chairman (Franklin)  
Walter D. Brown, III (Newsoms)  
Carl J. Faison (Boykins-Branchville)  
Anita T. Felts (Jerusalem)  
Ronald M. West (Berlin-Ivor)  
Moses Wyche (Capron)

SUPERVISORS ABSENT

None

OTHERS PRESENT

Michael W. Johnson, County Administrator (Clerk)  
James A. Randolph, Assistant County Administrator  
Julia G. Williams, Finance Director  
Robert L. Barnett, Director of Community Development  
Julien W. Johnson, Jr. Public Utilities Director  
Richard E. Railey, Jr., County Attorney  
Susan H. Wright, Administrative Secretary

Chairman Jones called the meeting to order, and after the *Pledge of Allegiance*, Supervisor Faison gave the invocation.

Chairman Jones sought approval of the minutes of the January 6, 2009 special session and January 26, 2009 regular session. They were approved as presented, as there were no additions or corrections.

Regarding highway matters, Chairman Jones recognized Mr. Jerry Kee, Assistant Residency Administrator of the Virginia Department of Transportation (VDOT) Franklin Residency.

Mr. Kee advised that crews were continuing with routine maintenance and operations.

Supervisor Brown asked if any projects had been revived as a result of the stimulus package? Mr. Kee advised that they would be doing some asphalt work on Route 58 in front of the high school, they were going to pave Route 308 in front of the prison, and there was a section of Route 58 in Greensville County that would be paved. Those projects were added back in after being originally taken out.

Supervisor Brown, asked, so there was no chance that the stimulus package would help the Courtland interchange? Mr. Kee replied that he would be meeting with Mr. Johnson, County Administrator, this afternoon to discuss the proposals that had been made.

Vice-Chairman Young advised that he informed Mr. Lomax, Residency Administrator, last month of his concern with water standing in the road on Delaware Road. He had spoken with Benny Necessary, Superintendent, about it last week. He thought they were looking at it.

Vice-Chairman Young asked about the status of Edgehill? Mr. Kee advised that they were working on getting the easements and right-of-ways.

Supervisor Wyche advised that when traveling westbound, it was very difficult to see the road sign for Bryants Church Road, which was on the opposite side of the road. He had received several concerns regarding this.

Mr. Kee stated that he would see if there was something they could possibly do.

Supervisor West that advised that there were low-hanging limbs coming off of the bridge at Route 614, from Isle of Wight up to the church. He asked Mr. Kee about possibly cutting the limbs.

Mr. Kee advised that they would take a look at it.

In regards to the highway abandonment of a portion of Route 622 near Zuni, Supervisor West advised that he was in contact with Gracie B. Waters regarding the right-of-way needed by Tucker Swamp Baptist Church. However, it was an uphill battle. She wanted to sell the church the entire property, and the church was not inclined to purchase that whole area. He asked Mr. Johnson to continue placing the item on the agenda each month. A solution would be forthcoming or a request to withdraw the item from further consideration.

Mr. Johnson advised that in an effort to address the \$2.6 billion transportation funding shortfall, in a rare mid-year revision, VDOT reduced its highway construction budget by \$2 billion including \$16.5 million that had been allocated to the Route 58 interchange east of Courtland. VDOT had indicated to him that future funding for that project was highly unlikely given the improvement in motorist safety since the traffic signal was installed last year. However, they were looking at some alternative improvements to that intersection to further enhance motorist safety. He would be discussing this with VDOT officials this afternoon and hoped to bring a report back to the Board next month.

Regarding reports, various reports were received and provided in the agenda. They were Financial, Sheriff's Office, Animal Control, Litter Control, Communication Center Activity Report, Traffic Tickets, and Building Permits. Also, New Housing Starts, Cooperative Extension, Delinquent Tax Collection, EMS and Fire Department Activity, Solid Waste Quantities, and Personnel.

In regards to New Housing Starts, Supervisor Brown stated that he was curious as to the impact on revenue as a result of the drop in the number of new houses. Mr. Johnson advised that the impact on revenue was not that significant at this point, but would become significant if the recession were to last 3-4 years.

In regards to the personnel report, Mr. Johnson advised that J. Michael Blythe of the Sheriff's Office remained on active military leave effective 07/09/08.

Moving to financial matters, Mr. Johnson announced that included in the agenda was an appropriations resolution with total appropriations of \$764,423.84. The appropriation was related to the General Fund and consisted of a myriad of expenditure refunds, insurance reimbursements, grants, deferred revenues and carry-over funds from previous fiscal years. Of the total appropriation, \$131,430.11 would come from the unappropriated general fund reserve, since the associated expenses were not included in the FY 2009 annual budget and there were no other sources of identified funding. A full breakdown of these items was included in the agenda. Otherwise, revenue in the amount of \$147,986.47 was being carried over from the prior fiscal year, and the balance of \$485,007.26 had been received from the sources indicated and was available for the itemized expenditures upon order of the Board.

The appropriations resolution is as follows:

**APPROPRIATIONS - FEBRUARY 23, 2009**

**NEW MONEY REQUIRED FOR FEBRUARY 2009 APPROPRIATION**

**GENERAL FUND**

1,400.00	BOARD OF SUPERVISORS/TAX PARCEL INVESTIGATION/STORY PROPERTY
2,500.00	BOARD OF SUPERVISORS/WHRO PIONEER BANQUET
1,000.00	BOARD OF SUPERVISORS/GIRLS SOFTBALL TEAM
27,830.81	INSURANCE/WORKER'S COMPENSATION
1,849.77	SHERIFF/BAILIFF/EMPLOYEE SICK LEAVE
5,000.00	SHERIFF/LAW ENFORCEMENT/EMPLOYEE SICK LEAVE
9,129.20	SHERIFF/DETENTION/EMPLOYEE SICK LEAVE
18,000.00	PROBATION/CASA PROGRAM

2,688.15	EMERGENCY SERVICES/HURRICANE PREPARATION
670.16	STATE & LOCAL HOSPITALIZATION/MEDICAL ASSISTANCE
59,361.59	COMPREHENSIVE SERVICES ACT/MATCH/STATE FUNDS
2,000.43	PLANNING/HRPDC/SOLID WASTE PROJECT
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<b>131,430.11</b>	<b>TOTAL NEW MONEY/GENERAL FUND</b>

**GENERAL FUND - CARRY-OVER FUNDS**

1,051.93	BOARD OF SUPERVISORS/BOARD RETREAT
3,152.00	CLERK OF THE CIRCUIT COURT/TECHNOLOGY TRUST FUNDS
1,987.33	CLERK OF THE CIRCUIT COURT/COST COLLECTIONS
16,892.67	COMMONWEALTH'S ATTORNEY/COST COLLECTIONS
4,352.96	SHERIFF/CAMP FOUNDATION/EDUCATION
5,000.00	SHERIFF/CAMP FOUNDATION/DISCRETIONARY FUND
7,908.26	SHERIFF/CRIME PREVENTION
5,000.00	SHERIFF/CANINE GRANT
2,442.93	SHERIFF/DARE
13,350.33	SHERIFF/PROJ LIFESAVER
1,059.05	EMERGENCY SERVICES/CAMP FOUNDATION/DISASTER PREPAREDNESS EQUIPMENT
23,064.00	COMPREHENSIVE SERVICES ACT/ADMIN
25,000.00	CULTURAL ENRICHMENT/REBECCA VAUGHAN HOUSE
599.01	PLANNING/ZONING/LITTER CONTROL
37,126.00	PLANNING/ZONING/ORDINANCE UPDATES/PARKS & RECREATION MASTER PLAN
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<b>147,986.47</b>	<b>TOTAL CARRY-OVER/GENERAL FUND</b>

APPROPRIATIONS - FEBRUARY 23, 2009

11010 BOARD OF SUPERVISORS	(1) Funds previously approved by Board for survey for Story property (\$1,400) <b>NEW MONEY</b>
	(2) Received reimbursement for personal expenses VACO/Supervisor Jones (\$294.70)
	(3) Refund received from VACO for lodging for Supervisor Young & banquet for Supervisor Felts (\$250)
	(4) Carry-over Camp-Younts Foundation funds from FY 08 earmarked for Board Retreat (\$1,051.93) <b>CARRY-OVER FUNDS</b>
	(5) Funds previously approved by Board for the WHRO Pioneer Banquet (\$2,500) <b>NEW MONEY</b>
	(6) Funds previously approved by Board for Girls Softball Team/Hornets Fastpitch (\$1,000) <b>NEW MONEY</b>

12110 COUNTY ADMINISTRATOR	<p>(1) Refund received from VACO for registration for Jay Randolph (\$250)</p> <p>(2) Reimbursement received from Kropewnicki's for copies (\$20.68)</p>
12550 INSURANCE/COUNTY CODE	<p>(1) Reimbursement received from retirees for BCBS (\$24,272)</p> <p>(2) Increase in worker's compensation premiums above original budget (\$27,830.81) <b>NEW MONEY</b></p> <p>(3) Appropriation needed to allocate worker's compensation to proper department--worker's comp is a one time cost--funds are originally budgeted in one department (\$-0-)</p>
21100 CIRCUIT COURT	<p>State reimbursement received for jurors &amp; witnesses (\$7,972.20)</p>
21600 CLERK OF THE CIRCUIT COURT	<p>(1) Technology Trust Funds not expended in FY 08 (\$3,152) <b>CARRY-OVER FUNDS</b></p> <p>(2) New Technology Trust Funds received from the state above original budget (\$84,852)</p> <p>(3) Cost collection carry-over funds used to supplement deputy clerks' salaries (\$1,987.33) <b>CARRY-OVER FUNDS</b></p> <p>(4) Records Grant received from the state (\$1,380)</p>
21700 SHERIFF-BAILIFF	<p>(1) Sick leave pay for deputy that left county employment- Ben Davis (\$1,849.77) <b>NEW MONEY</b></p>
22100 COMMONWEALTH'S ATTORNEY	<p>One-half of FY 08 cost collection carry-over funds required to be returned to the state (\$16,892.67) <b>CARRY-OVER FUNDS</b></p>
31200 SHERIFF LAW ENFORCEMENT	<p>(1) Sick leave pay for deputy that retired from county- Bailey (\$5,000) <b>NEW MONEY</b></p> <p>(2) Reimbursement received from Southampton High School for football security-salaries &amp; FICA (\$1,587.83)</p> <p>(3) Reimbursement received from State Farm Mutual for insurance claim (\$928.30)</p> <p>(4) Reimbursement received from insurance company for comprehensive claim (\$740.83)</p> <p>(5) Reimbursement received from Murphy Motors for unused parts on vehicle repair (\$152.36)</p> <p>(6) Reimbursement received from insurance company for comprehensive claim (\$2,784.23)</p> <p>(7) Reimbursement received from insurance company for comprehensive claim (\$988.05)</p> <p>(8) Reimbursement received for extradition of inmates (\$8,678.88)</p> <p>(9) Camp Foundation funds earmarked for Education/ Scholarships brought forward from FY 2008 (\$4,352.96) <b>CARRY-OVER FUNDS</b></p> <p>(10) Reimbursement rec'd from employees for uniforms (\$52)</p>

	(11) Reimbursement from Doug Bailey for service gun (\$1)
	(12) Camp Foundation funds received FY 08 for Sheriff's Discretionary Fund (\$5,000) <b>CARRY-OVER FUNDS</b>
	(13) Funds earmarked for Crime Prevention brought forward from FY 2008 (\$7,908.26) <b>CARRY-OVER FUNDS</b>
	(14) Funds received from Farm Fresh FY 08 for Canine Grant (\$5,000) <b>CARRY-OVER FUNDS</b>
	(15) Funds earmarked for DARE Program brought forward from FY 2008 (\$2,442.93) <b>CARRY-OVER FUNDS</b>
31600 SHERIFF PROJECT LIFESAVER	(1) Carry-over donations from Camp/Campbell Funds & others earmarked for Project Lifesaver (\$13,350.33) <b>CARRY-OVER FUNDS</b>
	(2) Contributions received for Project Lifesaver (\$75)
32200 VOLUNTEER FIRE DEPTS	(1) Fire Program Funds received for FY 2008 & FY 2009 (\$78,690)
	(2) Reimbursements rec'd from Sedley Vol Fire and Drewryville Vol Fire for electrical services (\$3,020.01)
32300 VOLUNTEER RESCUE SQUADS	Four-for-Life State Funds received for Volunteer Rescue Squads (\$11,721.84)
33100 DETENTION	(1) Sick leave pay for deputies that retired from county-Magette & Darden (\$9,129.20) <b>NEW MONEY</b>
	(2) Capital credit received from Community Electric (1,757.58)
	(3) Reimbursement rec'd for inmate postage (\$17.12)
	(4) Reimbursement rec'd from employee for personal telephone calls (\$160.07)
	(5) Reimbursement rec'd from previous employees for uniforms/training (\$9,246)
	(6) Reimbursement from Magette for service gun (\$50)
33300 PROBATION	Funds previously approved by Board for Court Appointed Special Advocate (\$18,000) <b>NEW MONEY</b>
34000 INSPECTIONS	Funds received from contractors for training/seminar (\$340)
35100 ANIMAL CONTROL	(1) Grant received for dog & cat sterilization (\$47.50)
	(2) Restitution received for vicious dog from Clerk's office (\$549.80)
35500 EMERGENCY SERVICES	(1) Funds required for hurricane preparation for Sheriff's office over-time (\$2,688.15) <b>NEW MONEY</b>
	(2) Funds previously received from Camp Foundations for disaster preparedness equipment (\$1,059.05) <b>CARRY-OVER FUNDS</b>
43000 BUILDINGS & GROUNDS	Reimbursement received from Dept of Social Services and Health Dept for telecommunications (\$3,748.27)
53220 STATE & LOCAL HOSPITALIZATION	Funds required above budget for the Department of Medical Assistance (\$670.16) <b>NEW MONEY</b>

53500 COMPREHENSIVE SERVICES ACT	(1) CSA earmarked carry-over administrative funds from previous year (\$23,064) <b>CARRY-OVER FUNDS</b> (2) Supplemental increase to CSA budget for FY 09 due to increase of at-risk residential placements--new state funds (\$124,420.41) and required local funds (\$59,361.59) <b>NEW MONEY</b>
72500 CULTURAL ENRICHMENT	Funds budgeted FY 08 for Rebecca Vaughan House project (\$25,000) <b>CARRY-OVER FUNDS</b>
81100 PLANNING & ZONING	(1) Litter Control Grant funds received for FY 2009 (\$13,733) (2) Litter Control Grant funds rec'd in FY 08 & not expended (\$599.01) <b>CARRY-OVER FUNDS</b> (3) Funds previously approved by Board for solid waste project (\$2,000.43) <b>NEW MONEY</b> (4) Funds brought forward from FY 08 budgeted for Ordinance Updates & Parks & Recreation Master Plan (\$37,126) <b>CARRY-OVER FUNDS</b>
82500 SOIL & WATER CONSERVATION	Reimbursement rec'd for personnel costs (\$46,605.53)
83500 COOPERATIVE EXTENTION	Recycle grant received by Extention service (\$1,620.07)
91400 NON-DEPARTMENTAL	Contributions rec'd from Camp Foundation, Camp-Younts Foundation, & Ruth Camp Campbell Foundation (\$54,000)

At a meeting of the Board of Supervisors of Southampton County, Virginia on Monday, February 23, 2009

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Southampton County, Virginia that the following appropriations be and hereby are made from the Fund to the Fund for the period of July 1, 2008 through June 30, 2009 for the function and purpose indicated:

From the General Fund to the General Operating Fund to be expended only on order of the Board of Supervisors:

4-100-11010-3180	CONSULTING SERVICES/APPRAISAL	1,400.00
11010-5500	TRAVEL CONVENTION, EDUCATION	294.70

11010-5500	TRAVEL CONVENTION, EDUCATION	250.00
11010-5510	TRAVEL BOARD RETREAT	1,051.93
11010-5685	WHRO PIONEER GALA	2,500.00
11010-5740	HORNETS FASTPITCH	1,000.00
12110-2700	WORKER'S COMPENSATION	332.64
12110-5500	TRAVEL CONVENTION, EDUCATION	250.00
12110-6001	OFFICE SUPPLIES	20.68
12310-2700	WORKER'S COMPENSATION	297.31
12410-2700	WORKER'S COMPENSATION	286.24
12430-2700	WORKER'S COMPENSATION	280.96
12510-2700	WORKER'S COMPENSATION	166.45
12550-2300	HOSPITAL PLAN	24,272.00
12550-2700	WORKER'S COMPENSATION	27,830.81
12550-2700	WORKER'S COMPENSATION	(94,135.81)
13200-2700	WORKER'S COMPENSATION	111.30
21100-2700	WORKER'S COMPENSATION	55.84
21100-3848	JURORS & WITNESSES - STATE	7,972.20
21600-2700	WORKER'S COMPENSATION	664.17
21600-3847	TECH TRUST FUND/IMAGING	3,152.00
21600-3847	TECH TRUST FUND/IMAGING	84,852.00
21600-3862	RECORDS GRANT	1,380.00
21600-5830	COLLECTION FEE ACCOUNT	1,987.33
21700-1325	SICK LEAVE	1,849.77
21700-2700	WORKER'S COMPENSATION	7,046.35
22100-2700	WORKER'S COMPENSATION	325.37
22100-5830	REFUND-COLLECTION FEE ACCOUNT	16,892.67
31200-1325	SICK LEAVE	5,000.00
31200-1901	PART-TIME/SOUTHAMPTON HIGH SCHOOL	1,475.00
31200-2100	FICA	112.83
31200-2700	WORKER'S COMPENSATION	16,383.96
31200-3310	REPAIR & MAINTENANCE	928.30
31200-3310	REPAIR & MAINTENANCE	740.83
31200-3310	REPAIR & MAINTENANCE	152.36
31200-3310	REPAIR & MAINTENANCE	2,784.23
31200-3310	REPAIR & MAINTENANCE	988.05
31200-5500	TRAVEL CONVENTION, EDUCATION	78.50
31200-5500	TRAVEL CONVENTION, EDUCATION	3,245.09
31200-5500	TRAVEL CONVENTION, EDUCATION	189.99
31200-5500	TRAVEL CONVENTION, EDUCATION	1,766.48
31200-5500	TRAVEL CONVENTION, EDUCATION	1,298.28
31200-5500	TRAVEL CONVENTION, EDUCATION	2,100.54
31200-5540	EDUCATION/SCHOLARSHIPS CAMP-YOUNTS FD	4,352.96
31200-6011	UNIFORMS & APPAREL	52.00
31200-6023	AMMUNITION/WEAPONS	1.00
31200-6024	DISCRETIONARY FUND	5,000.00
31200-6025	CRIME PREVENTION	7,908.26
31200-6026	CANINE FARM FRESH GRANT	5,000.00
31200-6030	DARE	2,442.93
31600-5510	TRAINING/EQUIP PROJ LIFESAVER	13,350.33
31600-5510	TRAINING/EQUIP PROJ LIFESAVER	75.00
32200-5843	STATE FUNDS/FIRE PROGRAM FUNDS	78,690.00
32200-5110	ELECTRICAL SERVICES	547.33
32200-5110	ELECTRICAL SERVICES	2,472.68
32300-5843	STATE FUNDS/FOUR-FOR-LIFE	11,721.84
33100-1325	SICK LEAVE	9,129.20
33100-2700	WORKER'S COMPENSATION	34,933.89
33100-5110	ELECTRICAL SERVICES	1,757.58

February 23, 2009

33100-5210	POSTAL SERVICES	17.12
33100-5230	TELECOMMUNICATIONS	160.07
33100-6011	UNIFORMS & APPAREL	5,000.00
33100-6011	UNIFORMS & APPAREL	4,246.00
33100-6023	AMMUNITION/WEAPONS	50.00
33300-3180	COURT APPOINTED SPECIAL ADVOCATE (CASA)	18,000.00
34000-2700	WORKER'S COMPENSATION	1,045.38
34000-5500	TRAVEL CONVENTION, EDUCATION	340.00
35100-1902	GRANT-DOG & CAT STERILIZATION	47.50
35100-2700	WORKER'S COMPENSATION	1,110.29
35100-6004	VETERINARY CARE	549.80
35500-1200	SALARIES & WAGES-OVERTIME	2,505.12
35500-2100	FICA	183.03
35500-8200	DISASTER PREPAREDNESS EQUIP/CAMP FD	1,059.05
42300-2700	WORKER'S COMPENSATION	26,699.55
43000-2700	WORKER'S COMPENSATION	2,510.13
43000-5241	TELECOM-SOC SER/HEALTH	1,728.56
43000-5241	TELECOM-SOC SER/HEALTH	2,019.71
53220-3110	PROFESSIONAL HEALTH SERVICE	670.16
53500-5666	ADMINISTRATIVE ALLOCATION	23,064.00
53500-5667	STANDARD ALLOCATION	124,420.41
53500-5667	STANDARD ALLOCATION	59,361.59
72500-5650	REBECCA VAUGHAN HOUSE PROJECT	25,000.00
81100-2700	WORKER'S COMPENSATION	1,885.98
81100-5647	LITTER CONTROL GRANT	13,733.00
81100-5647	LITTER CONTROL GRANT	599.01
81100-5648	PAYMENT TO HRPDC	2,000.43
81100-5650	PROF PLANNING SERV/AGRI LAND DEV	20,324.00
81100-5670	PARKS & RECREATION MASTER PLAN	16,802.00
82500-1100	SALARIES & WAGES REGULAR	27,714.75
82500-1300	PART-TIME SALARIES	7,582.90
82500-2100	FICA	2,632.10
82500-2210	RETIREMENT	2,721.60
82500-2215	RETIREMENT-EMPLOYEE	1,385.75
82500-2300	HOSPITAL PLAN	4,332.00
82500-2400	GROUP INSURANCE	227.25
82500-2600	UNEMPLOYMENT TAX	9.18
83500-3861	GRANT #2	1,620.07
91400-5671	CAMP CAMPBELL FUNDS	54,000.00
	TOTAL	<u>764,423.84</u>
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	TOTAL APPROPRIATIONS	764,423.84

REVENUE APPROPRIATION FEBRUARY 2009  
(REVENUE RECEIVED FOR ABOVE EXPENDITURES)

GENERAL FUND		
3-100-16040-0003	REIMBURSEMENT VFD-VRS	547.33
3-100-16040-0003	REIMBURSEMENT VFD-VRS	2,472.68
3-100-16090-0001	HEALTH-TELEPHONE	1,728.56
3-100-16110-0001	SOCIAL SERVICES-TELEPHONE	2,019.71
3-100-16120-0001	REIMB-SOIL & WATER SALARIES	46,605.53
3-100-16170-0001	PROJECT LIFESAVER	75.00
3-100-18030-0003	EXPENDITURE REFUND	1,587.83
3-100-18030-0003	EXPENDITURE REFUND	78.50
3-100-18030-0003	EXPENDITURE REFUND	294.70
3-100-18030-0003	EXPENDITURE REFUND	1,757.58
3-100-18030-0003	EXPENDITURE REFUND	250.00
3-100-18030-0003	EXPENDITURE REFUND	250.00
3-100-18030-0003	EXPENDITURE REFUND	20.68
3-100-18030-0003	EXPENDITURE REFUND	50.00
3-100-18030-0003	EXPENDITURE REFUND	5,000.00
3-100-18030-0003	EXPENDITURE REFUND	4,246.00
3-100-18030-0003	EXPENDITURE REFUND	152.36
3-100-18030-0003	EXPENDITURE REFUND	160.07
3-100-18030-0003	EXPENDITURE REFUND	549.80
3-100-18030-0003	EXPENDITURE REFUND	52.00
3-100-18030-0003	EXPENDITURE REFUND	1.00
3-100-18030-0003	EXPENDITURE REFUND	17.12
3-100-18030-0003	EXPENDITURE REFUND	340.00
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	928.30
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	740.83
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	2,784.23
3-100-18030-0004	INSURANCE CLAIMS & DIVIDENDS	988.05
3-100-18030-0005	HOSPITAL PLAN	24,272.00
3-100-18990-0025	CAMP/CAMPBELL FOUNDATION	54,000.00
3-100-23020-0007	EXTRADITION EXPENSES	3,245.09
3-100-23020-0007	EXTRADITION EXPENSES	189.99
3-100-23020-0007	EXTRADITION EXPENSES	1,766.48
3-100-23020-0007	EXTRADITION EXPENSES	1,298.28
3-100-23020-0007	EXTRADITION EXPENSES	2,100.54
3-100-23070-0006	CLERK TECHNOLOGY TRUST FUND	84,852.00
3-100-24040-0012	FIRE PROGRAM FUND ALLOCATION	78,690.00
3-100-24040-0014	JURORS & WITNESSES	7,972.20
3-100-24040-0016	EMERGENCY MEDICAL SERVICE	11,721.84
3-100-24040-0020	LITTER CONTROL GRANT	13,733.00
3-100-24040-0023	CIRCUIT COURT GRANT	1,380.00
3-100-24040-0052	COMPREHENSIVE SERVICES ACT	124,420.41
3-100-24040-0065	RECYCLE GRANT-EXTENSION	1,620.07
3-100-24040-0075	ANIMAL FRIENDLY FUNDS	47.50
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	2,500.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	1,000.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	1,400.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	27,830.81
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	1,849.77
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	9,129.20
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	5,000.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	2,688.15
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	18,000.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	2,000.43

3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	59,361.59
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	670.16
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	3,152.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	1,987.33
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	16,892.67
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	5,000.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	1,059.05
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	2,442.93
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	7,908.26
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	4,352.96
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	23,064.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	1,051.93
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	5,000.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	13,350.33
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	37,126.00
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	599.01
3-100-41050-0005	TRANSFER IN-GENERAL FUND RESERVE	25,000.00
		<hr/>
	REVENUE GENERAL FUND	764,423.84
		  <hr/>  
	TOTAL APPROPRIATION	764,423.84

A copy teste: \_\_\_\_\_, Clerk  
 Michael W. Johnson

Southampton County Board of Supervisors  
 02/23/09

**Vice-Chairman Young moved, seconded by Supervisor Felts, to adopt the appropriations resolution. All were in favor.**

Mr. Johnson advised that bills in the amount of \$ \_\_\_\_\_ were received.

**Vice-Chairman Young moved, seconded by Supervisor Felts, that the bills in the amount of \$ \_\_\_\_\_ be paid with check numbers \_\_\_\_\_ through \_\_\_\_\_. All were in favor of the motion.**

Moving forward, Mr. Johnson announced that included in the agenda were three capital funding requests – one from the Courtland Volunteer Rescue Squad, one from the Newsoms Volunteer Fire Department, and one from the Drewryville Volunteer Fire Department. As they knew, beginning in FY 2000, the Board agreed to provide more than \$1.2 million over a ten (10) year period for capital improvements for fire and rescue. The allocable share for each fire department in FY 2009 was \$14,000 and for each rescue squad, \$7,000. Funds were earmarked annually for each department or squad and held in escrow pending specific approval by the Board of Supervisors. Escrowed funds continued to accrue for each department/squad if not drawn down.

The three requests were from:

- A. **Courtland Volunteer Rescue Squad** – seeking their FY 2009 appropriation of \$7,000 to be used to fund debt service on their Rescue Squad Building; and
- B. **Newsoms Volunteer Fire Department** – seeking their FY(s) 2007, 2008, and 2009 appropriations totaling \$39,000 to assist with purchase of a new brush truck.
- C. **Drewryville Volunteer Fire Department** – seeking their FY 2009 appropriation of \$14,000 to be used towards the purchase of a new wild land-fire unit.

Mr. Johnson stated that the table included in the agenda indicated the status of capital

appropriations since FY 2000. As they could see, all three requests were in order. Through February 16, 2008, they had collectively appropriated \$1,082,500 for fire and rescue improvements and were holding in escrow an additional \$222,500.

**Supervisor West moved, seconded by Vice-Chairman Young, to approve the capital funding request(s) of the Courtland Volunteer Rescue Squad in the sum of \$7,000, the Newsoms Volunteer Fire Department in the sum of \$39,000, and the Drewryville Volunteer Fire Department in the sum of \$14,000. All were in favor.**

Moving to the citizen request to address the Board, Mr. Johnson announced that included in the agenda was correspondence from Mr. James E. Bradshaw requesting time this morning to solicit funding for the Courtland Baseball/Softball League.

Chairman Jones recognized Mr. James Bradshaw.

Mr. Bradshaw thanked the Board for the opportunity to come before them. He advised that he was representing the Courtland Baseball/Softball League, and with him this morning were several other representatives of the League. They currently utilized the ball fields at Southampton Academy. A lot of their games would be at night, as they had to wait for Southampton Academy to finish using the fields. They were estimating that the light bill would cost \$800/month. They had checked with a representative of Newsoms Recreation and they indicated that their light bill was about \$800/month. They were asking for a monetary donation from the Board of Supervisors to help pay the light bill.

Supervisor Brown asked how much was he asking for? Mr. Bradshaw advised that they were estimating the light bill to be \$800/month and they were looking at having to pay it for 3 months. However, they would appreciate any donation the Board could make.

Vice-Chairman Young stated that this was for a good cause, but the Board needed to look at everything in light of the current economic situation.

Supervisor Wyche thought that perhaps they should set aside a certain amount to give towards sports leagues.

Supervisor Felts stated that maybe they could discuss this at the retreat and decide on an amount to set aside.

Supervisor Brown advised that he was in support of any organization dealing with our youth, because we did not have a recreation program in the County. He thought that the level of support should be based on the need.

Supervisor Faison stated that perhaps they should set a cap on the donation amount, but they did not have to give everyone the cap.

Supervisor West agreed that funding for recreation needed to be discussed at the retreat, but at this time, he thought a \$1,000 donation to the Courtland Baseball/Softball League was in order based on past donations made by the Board. Government was not here to provide everything. However, he commended the teams and parents.

**Supervisor West moved, seconded by Supervisor Brown, to specially appropriate funding in the amount of \$1,000 for the Courtland Baseball/Softball League. All were in favor.**

Moving forward, Mr. Johnson announced that based upon recent revisions to Medicare payment policies for emergency ambulance transportation service, included in the agenda was a proposed ordinance amendment which increased the following fees:

Basic Life Support – increased from \$300 to \$350;  
Advanced Life Support – 2 – increased from \$500 to \$575; and  
Ground Transport Mileage Rate – increased from \$8.00 to \$10.50 per mile.

Mr. Johnson advised that these were the first increases imposed since they originally adopted the fees in 2005 – the rates reflected the maximum amounts that Medicare (and private insurers)

would pay for emergency ambulance services. He noted that ambulance transportation fees currently generated between \$150,000 to \$200,000 in revenue per year – partially mitigating the \$718,455 cost of contractual EMS services. These fee increases were expected to generate between \$25,000 and \$40,000 in additional revenue per year.

**Supervisor Wyche moved, seconded by Vice-Chairman Young, to advertise the ordinance for public hearing next month. All were in favor.**

Accordingly, a First Reading was held on the following ordinance:

AN ORDINANCE TO AMEND AND REORDAIN ARTICLE V, CHAPTER 7 OF THE SOUTHAMPTON COUNTY CODE, 1991, AS IT RELATES TO SERVICE FEES FOR EMERGENCY AMBULANCE TRANSPORT

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BE IT ORDAINED by the Board of Supervisors of Southampton County, Virginia that Section 7-80 (c) of the Southampton County Code be, and hereby is amended and reordained as follows:

CHAPTER 7  
ARTICLE V  
EMERGENCY AMBULANCE TRANSPORT

**Sec. 7-80. Service fees for emergency ambulance transport.**

(c) The schedule of rates for emergency ambulance transport services by the respective rescue squads in Boykins, Capron, Courtland and Ivor shall be as follows:

BLS	<del>\$300</del>	<b>\$350</b>	
ALS-1	\$425		
ALS-2	<del>\$500</del>	<b>\$575</b>	
GTM	<del>\$8.00</del>	<b>\$10.50</b>	per mile in addition to transport charges.

This ordinance shall become effective at 12:01 a.m., April 1, 2009.

Adopted: March 23, 2009

Proceeding to the public hearing, Mr. Johnson announced that the first and only public hearing was to consider the following:

A proposed ordinance to amend and reordain Section 8-8 (7) of the Southampton County Code establishing an annual license tax of thirty dollars (\$30.00) for itinerant merchants or peddlers.

The ordinance is as follows:

**AN ORDINANCE TO AMEND SEC. 8-8 RATES OF LICENSE TAXES OF THE SOUTHAMPTON COUNTY CODE BY ADDING A NEW SUBSECTION (7) TITLED ITINERANT MERCHANTS OR PEDDLERS**

**BE IT ORDAINED** by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is, amended by adding a new Subsection (7) (now reserved) to Section 8-8 as set out below:

(7) Itinerant Merchants or Peddlers.

Adopted this \_\_\_\_\_ day of February, 2009.

A copy teste:

\_\_\_\_\_  
Michael W. Johnson, County Administrator/Clerk  
Southampton County Board of Supervisors

Chairman Jones opened the public hearing. No members of the public wished to speak. Chairman Jones closed the public hearing.

**Vice-Chairman Young moved, seconded by Supervisors Felts and Wyche, to adopt the ordinance.**

Supervisor Brown asked how this would affect other vendors, such as vendors coming to the PowWow marketing jewelry, regalia, etc., for example? Would they have to have a license? Mrs. Amy Carr, Commissioner of the Revenue, replied yes. Supervisor Brown stated that they were a non-profit organization. Mrs. Carr advised that non-profit organization were exempt from this ordinance.

Mr. Richard E. Railey, Jr., County Attorney, clarified that the license fee was \$500 once upon a time in order to protect other merchants. Then the state said no, that was too much money. As a result, it was taken out of the code. Now it was being put back in with a \$30 license fee. It was a housekeeping measure.

Supervisor Brown asked if the vendors at Heritage Day would be required to purchase a license? Mrs. Carr replied that Heritage Day took place within the town limits of Courtland and would be subject to the rules and regulations of the Town of Courtland.

Chairman Jones reopened the public hearing at the request of a citizen.

Mr. Bruce Phillips spoke. He asked if this ordinance would apply to the ruritan club? Attorney Railey replied no because the ruritan club was nonprofit. Mr. Phillips asked if the ordinance would apply to the OLF organization who was selling merchandise to raise awareness and money? Attorney Railey replied no because the OLF organization was nonprofit.

Mrs. Carr clarified for Supervisor Felts that a license would be good for one year.

Sheriff Vernie Francis spoke. He advised that the purpose of this ordinance was so that the Sheriff's Office could get a handle on who was going door to door and knocking on people's doors at 9:00 at night.

Chairman Jones closed the public hearing.

Chairman Jones called for a vote on the motion. **All were in favor.**

Moving forward, Mr. Johnson announced that included in the agenda was copied email correspondence from Lonnie Johnson, Southeast District Director for Virginia Cooperative Extension. Wes Alexander's last official day of work would be February 28, 2009 and he asked Mr. Johnson what their plans were for filling the position. His response was included in the agenda. He (Mr. Michael Johnson, County Administrator) informed, as background information, that there may be 2 types of employees working in a County Cooperative Extension Office – employees of Virginia Cooperative Extension (VCE) or employees of the county assigned to VCE. VCE employees were those employed directly by Virginia Cooperative Extension and their salaries and benefits may be funded 100 percent by VCE, funded 100 percent by one or more localities or funded jointly by VCE and one or more localities. These employees were employed through the procedures prescribed by the Commonwealth of Virginia and the Virginia Tech EEO/Affirmative Action Program. Local government input was sought on the section of VCE personnel and on their annual performance evaluation. County employees were those employed directly by the locality and assigned to Virginia Cooperative Extension. They were employed and managed in accordance with the local government's established policy and procedures.

Mr. Johnson stated that as they knew, Mr. Alexander was an employee of VCE and his salary was jointly funded by Virginia Cooperative Extension and Southampton County – the county paid 33 1/3 % of his salary and the full cost of benefits on the local salary share. In FY 2009, Southampton County's share of Mr. Alexander's salary and benefits was slightly more than \$29,000. Mr. Lonnie Johnson advised him that, like other state agencies, VCE had experienced budget cuts from the Commonwealth resulting in a temporary hiring freeze. Accordingly, they had not plans to immediately fill the position upon Mr. Alexander's departure. He suggested that

if filling the position was a local priority, we consider funding it with local dollars. Given our own budget constraints, that may not be a reasonable alternative, but he wanted to make the Board aware of the situation. He noted that he was open to their direction in this regard.

Vice-Chairman Young advised that he did not think we could afford to locally fund the position. If we ever started funding it, that's the way it would stay.

Supervisor Brown asked if we could satellite on to another entity for support? Vice-Chairman Young stated that in the last cooperative extension newsletter, there were 3 or 4 names of agents in Isle of Wight County and Greensville County given. He added that there was still a 4-H Agent and Secretary in Southampton County that could put citizens in touch with an agent.

Mr. Glenn Updike, a citizen who was in the audience, shared that there were still services and support available through the Tidewater Agricultural Research and Extension Center. In addition, you could always contact Virginia Tech in Blacksburg.

Supervisor Brown asked Mr. Johnson if VEC indicated in the letter how they would assist us? Mr. Johnson replied no – it stated that they would assist, but it did not indicate how.

Vice-Chairman Young informed that we had a shared agent before Wes Alexander came and it did not work out.

Mr. Bruce Phillips, who was in the audience, spoke. He advised that he was on the executive committee for cooperative extension. He stated that Wes Alexander did a lot of things for Southampton County that many may not even know about, including picking up waste oil from farms and making Southampton County a leading recycling county. There was certainly a value to having a local extension agent. However, he recognized that we may not be able to afford it right now.

It was consensus of the Board to not locally fund an extension agent for the upcoming fiscal year, and to rely on the services and support that were still available. All were in favor.

Upon returning to open session, Mr. Johnson dispensed with miscellaneous issues. Mr. Johnson announced that included in the agenda was a copy of the summary report chronicling matters considered by the Planning Commission in 2008 as well as attendance reports for both the Planning Commission and Board of Zoning Appeals (BZA).

Mr. Johnson advised that also included in the agenda was a recommendation from the Planning Commission to move forward in filing the vacant Planner position and its supporting rationale. He noted that he was open to the Board's direction, but in light of agenda item 5C (regarding the FY 2010 budget), he had refrained from filling the position to minimize expense.

It was consensus of the Board to keep the position in the upcoming budget, but not to fill it.

Mr. Jay Randolph, Assistant County Administrator and Secretary to the Planning Commission, advised that the topic of filling the Planner position came up because of discussion at a Planning Commission meeting related to the Capital Improvements Plan not being updated. In light of the Board not filling the position, he asked for their support when citizens complained about updates and other tasks that may get behind.

Mr. Johnson informed that it had been quite some time since our last retreat, and with the issues facing us in 2009, several Board members had expressed an interest in scheduling one early this year. It had also been mentioned that our old format may be more appropriate this year, where we would gather for a day-and-a-half to 2 days to discuss issues in-depth and strategically plan for the upcoming year. He would be delighted to organize this type of retreat, if that's what the Board would like – historically, they had convened on a Thursday morning and concluded around noon on Friday. March 5-6 would provide adequate time to plan, organize and prepare, if those dates were ok with the Board. He would also like some direction on the topics they were interested in covering and what they'd like to accomplish in the time they would be together.

Supervisor Faison advised that he would like to talk about SPSA. Supervisor Brown stated that he would like to talk about trying to get on board to bring tourist dollars into the County. Supervisor Felts advised that she would like to discuss the budget.

Mr. Johnson stated that Supervisor Brown recently participated in a couple of tourism workshops facilitated by Franklin-Southampton Economic Development. He had specifically mentioned an interest in inviting Ms. Sandra Tanner with the Virginia Tourism Corporation to a future Board meeting to discuss tourism opportunities in Southampton County.

Supervisor Brown advised that he would like for Ms. Sandra Tanner to give a presentation to the Board.

Supervisor Felts asked if Ms. Tanner would be mentioning the greenway (or pipeline)? She was asking because it was not in the Comprehensive Plan, it was in her district, and she would hear from a lot of people who did not want it. It would just open all that back up again.

Supervisor Brown advised that Ms. Tanner would not talk specifically to the greenway. She would give a presentation as it related to tourism.

Mr. Johnson informed that there had been much discussion and anticipation regarding a federal stimulus for infrastructure projects in the first 100 days of the Obama administration. In anticipation, he had prepared a summary of our projects in Southampton County that may qualify and had submitted them to a number of state and regional organizations that were compiling candidate project lists, including the Virginia Department of Housing and Community Development, the Hampton Roads Planning District Commission, and the Hampton Roads Partnership. He had also submitted the list to Congressman Randy Forbes and Senator Jim Webb.

Continuing with miscellaneous issues, Mr. Johnson stated that included in the agenda was the monthly status report from Powell Management detailing progress on the ongoing water and sewer project.

Mr. Johnson advised, as a reminder, that the WHRO Pioneer Awards Banquet would be held at 6:00 PM on February 28 in Williamsburg (Williamsburg Lodge). The Board's sponsorship of the event entitled it to six tickets – he must submit the names to them no later than February 13.

Vice-Chairman Young and Supervisors Felts and Wyche indicated that they would be interested in attending along with their spouse/guest.

Mr. Johnson reported that included in the agenda were copies of the following incoming correspondence:

- 1) From the Department of Health, Office of Drinking Water, a copy of a violation notice to the Kingsdale-Moseley water system for failure to collect required bacteriological samples in November 2008;
- 2) From the Virginia Department of Transportation, an annual report summarizing changes to the secondary system in 2008;
- 3) From Charter Communications, a revised pricing guide for its services;
- 4) From Isle of Wight County, notice that Mr. James B. Brown has been elected Chairman of their Board in 2009;
- 5) From Isle of Wight County, email correspondence expressing its interest in reconvening periodic regional cooperation meetings with Franklin and Southampton County. Chairman Jones would need to appoint 2 board members to represent Southampton County at these meetings (the Chairman may serve himself);

**Supervisors Felts and West volunteered to represent Southampton County at these meetings.**

- 6) From Ash Cutchin, an inquiry regarding matters considered by the Board of Equalization in 2006;
- 7) From Northampton County, NC, a note of thanks for the Board's resolution supporting their ethanol project;
- 8) From the Western Tidewater Community Services Board, a note of thanks for the

- Board's FY 2009 annual appropriation; and
- 9) From Senior Services of Southeastern Virginia, notice of its pending funding request to the Commonwealth of Virginia for additional vans to transport the elderly and disabled.

Mr. Johnson stated that outgoing correspondence and articles of interest were also in the agenda.

Moving to late arriving matters, Mr. Johnson announced that at the request of Mrs. Amy Carr, Commissioner of the Revenue, Mr. Richard E. Railey, Jr., County Attorney, had prepared an ordinance to amend Section 8-8, Rates of License Taxes, of the Southampton County Code, by adding a new subsection for itinerant merchants or peddlers. Adding this subsection would allow the license rates of itinerant merchants or peddlers to be \$30.

**Vice-Chairman Young moved, seconded by Supervisor Wyche, to advertise the ordinance for public comment at the February 23, 2009 meeting. All were in favor.**

Accordingly, a First Reading was held on the following ordinance:

**AN ORDINANCE TO AMEND SEC. 8-8 RATES OF LICENSE TAXES OF THE SOUTHAMPTON COUNTY CODE BY ADDING A NEW SUBSECTION (7) TITLED ITINERANT MERCHANTS OR PEDDLERS**

**BE IT ORDAINED** by the Board of Supervisors of Southampton County, Virginia that the Southampton County Code be, and hereby is, amended by adding a new Subsection (7) (now reserved) to Section 8-8 as set out below:

- (7) Itinerant Merchants or Peddlers.

Adopted this \_\_\_\_\_ day of February, 2009.

A copy teste:

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Michael W. Johnson, County Administrator/Clerk  
Southampton County Board of Supervisors

The current ordinance is as follows:

**Sec. 8-8. Rates of license taxes.**

Except as may be specifically otherwise provided by ordinance or other law, the annual license tax imposed hereunder shall be thirty dollars (\$30.00) or the rate set forth below for the class of enterprise listed, if greater:

- (1) For contracting, and persons constructing for their own account for sale, ten cents (\$.10) per one hundred dollars (\$100.00) of gross receipts;
- (2) For financial, real estate and professional services, fifty-eight cents (\$.58) per one hundred dollars (\$100.00) of gross receipts;
- (3) For repair, personal and business services, and all other businesses and occupations not specifically listed or excepted in this section, twenty-five cents (\$.25) per one hundred dollars (\$100.00) of gross receipts;
- (4) For wholesalers, five cents (\$.05) per one hundred dollars (\$100.00) of purchases;
- (5) For carnivals, circuses and speedways, fifty dollars (\$50.00) for each date of operation held in this jurisdiction;
- (6) For fortunetellers, clairvoyants and practitioners of palmistry, five hundred dollars (\$500.00) per year;
- (7) Reserved;
- (8) For savings and loan associations and agricultural credit associations, fifty dollars (\$50.00) per year;
- (9) For direct sellers as defined in the 1950 Code of Virginia, as amended, § 58.1-3719.1, with total annual sales in excess of four thousand dollars (\$4,000.00), twenty cents (\$.20) per one hundred dollars (\$100.00) of total annual retail sales or five cents (\$.05) per one hundred dollars (\$100.00) of total annual wholesale sales, whichever is applicable;
- (10) Amusement operators as defined in the 1950 Code of Virginia, as amended, § 58.1-3720:
  - a. Three (3) to nine (9) coin-operated machines, seventy-five dollars (\$75.00); and
  - b. Ten (1) and above coin-operated machines, one hundred fifty dollars (\$150.00);
- (11) Photographers, as set forth in the 1950 Code of Virginia, as amended, § 58.1-3727 subject to the exceptions therein, thirty dollars (\$30.00); and
- (12) Public service companies as set forth on the 1950 Code of Virginia, as amended, §§ 58.1-2626, 58.1-2690 and 58.1-3731, one-half ( 1/2) of one (1) percent of gross receipts accruing from sales to the ultimate consumer in the county.

(Ord. of 12-18-95; Ord. of 8-26-96; Ord. of 4-23-01(2))

Chairman Jones asked if there was anything else to come before this Board?

Mr. Charles Turner, Division Superintendent of Southampton County Schools, spoke about their budget. He advised that they carried over more money than usual last year because they were anticipating a shortfall in sales tax. They were doing everything they could to cover their shortfalls. They had initiated a hiring freeze. He noted that their support service positions were understaffed. He thanked the Board for their continued support and concern.

**Chairman Jones announced that it was necessary for the Board to conduct a closed meeting in accordance with the provisions set out in the Code of Virginia, 1950, as amended, for the following purposes:**

**Section 2.2-3711 (A) (5) Discussion concerning prospective industries where no previous announcement has been made of the business' or industry's interest in locating its facilities in the community;**

**Section 2.2-3711 (A) (7) Consultation with legal counsel pertaining to potential litigation by Cheverly LLC related to administrative denial of a proposed subdivision plat; and**

**Section 2.2-3711 (A) (7) Consultation with legal counsel pertaining to litigation associated with a recently filed complaint, Anthony Scodes v. Southampton County Board of Supervisors and Southampton County, Virginia.**

**Supervisor Wyche moved, seconded by Supervisor West, to conduct a closed meeting for the purposes previously read.**

February 23, 2009

Richard Railey, County Attorney, Jay Randolph, Assistant County Administrator, Julia Williams, Finance Director, Julien Johnson, Public Utilities Director, and John Smolak, President of Franklin-Southampton Economic Development, Inc. were also present in the closed meeting.

**Upon returning to open session, Vice-Chairman Young moved, seconded by Supervisor Wyche, to adopt the following resolution:**

#### **RESOLUTION OF CLOSED MEETING**

**WHEREAS, the Southampton County Board of Supervisors had convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and**

**WHEREAS, Section 2.2-3712 (D) of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.**

**NOW, THEREFORE, BE IT RESOLVED that the Southampton County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public matters as were identified in the motion convening the closed meeting were heard, discussed and considered by the Southampton County Board of Supervisors.**

**Supervisors Voting Aye: Dallas O. Jones  
Walter L. Young, Jr.  
Walter D. Brown, III  
Carl J. Faison  
Anita T. Felts  
Ronald M. West  
Moses Wyche**

The motion passed unanimously.

Chairman Jones advised that a motion was needed as a result of the closed meeting.

**Vice-Chairman Young moved, seconded by Supervisor Wyche, to have Mr. Johnson, County Administrator, correspond with Mr. Anthony Scodes advising him of the Board's intention to initiate on the Board's behalf, and at no expense to him, a change in zoning (via a resolution) of approximately 55 acres of his property from C-M1, Conditional Limited Industrial to A-1, Agricultural, effectively seeking to reverse the zoning change approved by the Board on July 28, 2008. Chairman Jones, Vice-Chairman Young, and Supervisors Faison, Felts, West, and Wyche voted in favor of the motion. Supervisor Brown voted in opposition to the motion. The vote was 6-1 in favor the motion, thus the motion passed.**

There being no further business, the meeting was adjourned at 9:40 PM.

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Dallas O. Jones, Chairman

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Michael W. Johnson, Clerk

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